

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

OSSIE LEE SLAUGHTER,

Plaintiff,

v.

PATRICK R. GLEBE, et al.,

Defendants.

CASE NO. C15-5484BHS-JRC

ORDER DENYING OBJECTIONS

This matter comes before the Court on the order of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 103), and Plaintiff Ossie Lee Slaughter's ("Slaughter") objections to the order (Dkt. 106).

On August 5, 2016, Judge Creatura issued an order denying Slaughter's fifth motion for an extension of time and set a deadline of August 19, 2016, for Slaughter to file his amended complaint. Dkt. 103. On August 22, 2016, Slaughter filed objections to the order. Dkt. 106.¹ On November 7, 2016, Slaughter filed an amended complaint. Dkt. 109.

¹ Due to a clerical error, the Court did not receive notice of the referral until late December 2016.

1 When considering a nondispositive order from a magistrate judge, the district
2 judge must consider timely objections and modify or set aside any part of the order that is
3 clearly erroneous or is contrary to law. Fed. R. Civ. P. 72(a).

4 In this case, Slaughter fails to show that Judge Creatura's order is clearly
5 erroneous or contrary to law. Slaughter asserts that Defendants have interfered with his
6 ability to file an amended complaint, but fails to show that such interference could
7 plausibly last for over a year. Moreover, Slaughter has managed to file an amended
8 complaint, which Defendants have moved to dismiss for failure to meet the deadline.
9 Dkt. 110. If the complaint is dismissed for this reason, then the Court may be asked to
10 conduct a de novo review. At this point, however, Slaughter has failed to meet the high
11 burden to modify or set aside the nondispositive order. Therefore, Slaughter's objections
12 are **DENIED**.

13 **IT IS SO ORDERED.**

14 Dated this 3rd day of January, 2017.

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17 BENJAMIN H. SETTLE
United States District Judge